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Chapter 3: A Theory of Truces

Chapter one established that our leading theory of peace is Kantian and that our political discourse about war's end is heavily influenced by that theory. Kant's insistence that war must be abolished as a social phenomenon, that peace agreements should be comprehensive and resolve all outstanding differences, his confidence that war will, eventually, recede as the realm of democracy expands, his faith in the possibility of lawful international cooperation and the pacific influence of commerce, have, to a large degree, come to define our contemporary understanding of peace. Whenever policy makers reject interim agreements between belligerents as "mere truces," when they urge rivals to focus on "conflict resolution" rather than "conflict management," they take their bearings from a tradition of thinking inaugurated by Kant. We have also surveyed, in chapter 2, some of the most important criticisms of Kant's cosmopolitan view of peace – from skeptics who questioned the very possibility of moral standards in international relations to those, like Fichte and, much later, Habermas, who argued that Kant's theory of peace made too many concessions to the realities of the political world. We concluded that while Kant's account, generously interpreted, can deflect many of these criticisms, four of them raised serious concerns.

This chapter begins by recapping the most serious challenges facing Kant's idea of peace. It proceeds to argue that these challenges suggest the need for a theory of truces and ceasefires. Most of the chapter is dedicated to articulating that theory. It provides a taxonomy of truces and ceasefires, characterizes the philosophical and political commitments involved in truce making, explains why the idea of truce is not susceptible

to the main criticisms of Kant's theory of peace, defends the idea of truces from Kant's charge of realpolitik, articulates positive arguments for adding the idea of truces to our philosophical and political repertoire and considers the normative conditions under which it is most appropriate to make truces.

1. Challenges for Kant's theory of peace

Cosmopolitan peace and asymmetrical warfare

Many conflicts since the end of World War II have been of the asymmetrical variety: they involve a well-trained conventional army on the one hand, and an organization (or set of organizations), using guerilla tactics on the other.¹ Since guerillas are notoriously difficult to defeat, and since any achievement in fighting them turns on gaining and then keeping the support of the population within which guerillas find refuge, these conflicts are often managed rather than decisively won.

Consider the following quote from David Galula's classic *Counterinsurgency Warfare: Theory and Practice*: "A victory [in counterinsurgency warfare] is not the destruction in a given area of the insurgent's forces and his political organization. If one is destroyed, it will be locally re-created by the other; if both are destroyed, they will both be recreated by a new infusion of insurgents from the outside... A victory is that plus the permanent isolation of the insurgent from the population, isolation not enforced on the population but maintained by and with the population..."² Asymmetrical warfare, Galula argues, fuses traditional fighting and social welfare efforts; it is the kind of conflict in

¹ The military historian Martin Van Creveld argues that asymmetrical struggles accounts for approximately three quarters of warfare since World War II. See Van Creveld, M. 1991. *The Transformation of War*. New York, NY: Free Press. P. 20. And, on the rise of asymmetrical war more generally, Van Creveld, M. 2007. *The Changing Face of War: Lessons of Combat from Marne to Iraq*. New York, NY: Presidio Press

² Galula, D. 1964. *Counterinsurgency Warfare: Theory and Practice*. Westport, CT: Praeger. p. 54

which infantry captains double as educators, repairmen and providers of social services. “The Soldier must...become a social worker, civil engineer, a school-teacher, a nurse, a boy scout.”³

When this is the face of war, the cosmopolitan ideal of perpetual peace becomes problematic. Its emphasis on the final, comprehensive settling of all disputes appears mismatched for conflicts that, by their very nature, are difficult to end. Moreover, applying the cosmopolitan ideal to such conflicts may serve to prolong them. Asymmetrical warfare often takes place in states that lack effective political institutions. But since it is only a robust state with stable institutions that can enforce a Kantian peace, the cosmopolitan ideal may end up recommending a long, expensive and locally unpopular program of nation building.

Take the recent NATO mission in Afghanistan as an example. As of this writing, a reduction of violence in that country may be militarily feasible once its government and army control some of the major cities. But for Kant war does not end when violence is reduced; it ends when violence is extinguished. Now extinguishing violence in Afghanistan, if it is possible at all, would require setting up an effective government bureaucracy, a professional army and police force which, between them, would have a monopoly over the use of force, a system of courts that would efficiently administer the law etc. An effort to create these institutions would likely meet with significant pushback from the locals, which would, in turn, require prolonging and expanding NATO presence indefinitely. The English scholar (recently turned member of Parliament) Rory Stewart provides a useful depiction of this conundrum. Reflecting on his years of involvement in

³ Ibid, 62. For a compelling account of how these dynamics played out in the recent war in Iraq see Finkel, D. 2009. *The Good Soldiers*. New York, NY: Farrar, Straus and Giroux.

Afghanistan, Stuart argues that international aid and development efforts there have been geared towards broadly cosmopolitan goals: instituting the rule of law, providing the bases for good governance, creating a legitimate monopoly over the use of violence. Ironically, the insistence on achieving these metrics served to distance aid providers from the actual needs of Afghans on the ground, required consistently increasing troop levels and, very often, alienated the indigenous population. “Lofty abstractions such as ‘ungoverned space’, ‘the rule of law’ and ‘the legitimate monopoly on the use of violence’ are so difficult to apply to an Afghan village, that it was almost impossible to know when they were failing; and since it had, perhaps not *yet* succeeded, what after all would success look like, the international community sent in more money, and more troops...”⁴ Stewart concludes that most plans for nation building in Afghanistan were “too inherently optimistic...too isolated from the concerns and realities of Afghan life, too caught up in metaphysical abstractions of governance and the rule of law ever to succeed or to notice that we were not succeeding.”⁵

Cosmopolitan peace and missed opportunities

Kant’s dismissal of truces and ceasefires as machinations “befitting the casuistry of a Jesuit” may cause us to miss chances for economizing on the costs of war. Here the point is not so much that the cosmopolitan ideal is ill-suited for thinking about asymmetrical conflict. It is, rather, that some wars are very difficult to end (even if they are of the symmetrical variety). In such cases insisting on the cosmopolitan view of peace can make us overlook valuable opportunities for partial or limited accommodations.

⁴ Stewart, R. and Knaus, G. 2011. *Can Intervention Work?* New York, NY: Norton. P 220.

⁵ Ibid, p. 303

Thus, for example, it may be impossible for the Indians and Pakistanis to reach a Kantian peace in the near future. And yet they managed to conclude the Indus Waters Treaty in 1960, which regulated water-sharing and fishing rights. That treaty has been upheld since, in spite of repeated military conflagrations between the two countries. Similarly, it was impossible for the Spanish Republicans and Fascists to reach a Kantian peace after Franco's death. The conditions were simply too tense for a mutual reckoning about past atrocities – a reckoning required by a truly Kantian view of peace. And so both sides agreed on a "*pacto de olvido*," a pact of forgetting that kept Spain quiet, but also kept the parties from doing justice for past abuses, for more than three decades. This agreement, certainly a "mere truce" in Kantian terms, allowed the Spaniards to refrain from killing each other until conditions ripened for a more honest examination of the past.⁶ To offer one more example, it may be impossible for the Israelis and the Hamas to agree on the outlines of a final peace settlement. The two groups are far apart on the core questions required for a comprehensive accord – mutual recognition, final borders, the status of Palestinian refugees and so on. And yet, they may be able (and have come close in the past) to agree on a long-term ceasefire or "hudna". Such an agreement may prepare the ground for a more principled relationship in the future. Or it may, at least, provide the parties with several years of quiet. The Kantian ideal would have rejected such a partial accommodation. We shall have much more to say about these last two examples in the third part of the book.

⁶ In October 2007 the Spanish Parliament passed the "Historical Memory Law" which, among other things, declared many of the sentences handed down by Franco's courts as illegitimate, directed the exhumation of mass graves in which opponents of the fascist regime were buried and ordered the removal of some of the memorials glorifying the dictatorship. For a useful review of the political significance of that law see: Blakeley, G.2008. "Politics as usual? The Trials and Tribulations of the Law of Historical Memory in Spain" *Entelequia. Revista Interdisciplinar*, 7 pp. 315–330.

Cosmopolitan peace and democratic crusading

Kant's claim, in Definitive Article 1 of *Perpetual Peace*, that democratic governance promotes peace, may lead to the coercive spread of democracy. The cosmopolitan ideal may, in spite of Kant's intentions to the contrary, end up sanctioning the imposition of liberal values in the name of the peace and prosperity they promise to usher in. While Kant may think that democracy develops organically – each state at its own pace - his theory generates the risk of a democratic “crusade” for peace. This is the crux of Kenneth Waltz's well-known claim that the cosmopolitan peace might engender “a perpetual war for perpetual peace.” As the Kant scholar Luigi Caranti explains, in a given conflict between democrats and non-democrats, “Kant's first article seems to provide both a criterion for deciding *a priori* who is right and who is wrong (because democracies are naturally peaceful, then they were certainly forced to embark in this enterprise) as well as a justification *ex post facto* (that is, from the point of view of universal history) for democratic violence against non democracies: even if democratic violence was not legitimate, at least it served the goal of advancing the final goal of history, that is, the transformation of all states into republics, which in turn would bring about peace.”⁷

The worry here is that by tying security to a certain form of political organization, namely democracy, the Kantian ideal may provide the grounds for an expansive view of preventive war – a spreading of democracy by force in order to make the world safer.⁸

⁷ Caranti, L. 2006. “Perpetual War for Perpetual Peace? Reflections on the Realist Critique of Kant's Project.” *Journal of Human Rights* 5, p. 344

⁸ The political scientist Tony Smith argues that this commitment to the relationship between democratic governance and international security has done much to shape American foreign policy: “The most consistent tradition in American foreign policy . . . has been the belief that the nation's security is best protected by the expansion of democracy worldwide.” Smith, T.1993. *America's Mission: The United*

Kant and the “peace paradox”

Fourth, and most broadly, the cosmopolitan ideal’s wholesale rejection of war – the insistence that war must be abolished as a social phenomenon may, paradoxically, end up generating unnecessarily brutal wars. By setting up the annihilation of war and the creation of a lawful world order governed by “right” or just law as political aims, cosmopolitans end up committing themselves to fighting the “last war.” Such conflicts have an extraordinary purchase on people’s motivations and may, as a result, end up being especially deadly. In other words, the Kantian tendency to posit lasting and stable peace as the only acceptable way of ending a war can make wars longer and more brutal than they have to be. What President Wilson and others called “the war to end all wars” has a good claim on intensity, given the promised benefit.

In a recent book about the Napoleonic Wars, American historian David Bell labeled this dynamic the “Peace Paradox.” He reminds us that we have inherited from the Enlightenment, and specifically from Kant, the idea that peace is our birthright, that war and violence are irrational aberrations to be uprooted. But such an uprooting, by the very fact that it is seen as the eradication of an abnormality, precisely because it promises to return us to our original state of peace, gains a substantial claim on violence. Bell writes: “A vision of war as utterly exceptional – as a final cleansing paroxysm of violence – did not simply precede the total war of 1792-1815. It helped, decisively, to bring it about. Leaders convinced that they were fighting “the last war” could not resist committing ever greater resources to it, attempting to harness all their societies’ energies to a single

States and the Worldwide Struggle for Democracy in the Twentieth Century. Princeton, N.J.: Princeton University Press. p. 9.

purpose, and ultimately sacrificing lives on an industrial scale so as to defeat supposedly demonic enemies.”⁹

2. The need for a theory of truce and what it should do

In the opening paragraphs of *Perpetual Peace* Kant dismisses accommodations meant to limit rather than comprehensively extinguish war. Perpetuity, he reminds us, inheres in the very concept of peace. A truce or ceasefire is “an artifice worthy of the casuistry of a Jesuit” - done in bad faith for the promotion of short-term interests. Such partial agreements benefit only the political elites who broker them. Kant witnessed a great deal of cynical truce making between the great European powers - agreements that transferred ownership and sovereignty as if lands and their inhabitants were so many bags of flour. Naturally, these transactions shaped his uncharitable view of non-cosmopolitan arrangements.¹⁰ But Kant is too harsh with truce makers. He assumes a dichotomy between a cosmopolitan peace and the most extreme form of political realism. Either we aim for a comprehensive, principled settlement that promises to resolve all outstanding questions and brings the fighting parties under a relationship governed by just law, or we acquiesce in a view of politics championed by Thrasymachus and Machiavelli.

Contemporary Kantians state the case less starkly, but their thrust is similar. As philosopher Pauline Kleingeld puts it at the end of an important essay on Kant’s theory of peace: “for those who do not just want to say that in the international arena might makes right, Kant’s theory of peace represents a classical theoretical framework for developing

⁹ Bell, D. 2007. *The First Total War: Napoleon’s Europe and the Birth of Warfare as we Know It*. Boston, MA: Houghton Mifflin. p. 316.

¹⁰ Recall that *Perpetual Peace* was written in response to the 1795 treaty of Basel between Prussia and France which ceded Prussian territory to France in return for French acquiescence to Prussian territorial machinations in Poland. See chapter 1, part 2.

a set of normative ideals concerning international relations and the human rights of individuals.”¹¹

The difficulties with the Kantian conception of peace outlined above suggest the need for a more tentative, modest way of theorizing war’s end; they indicate that it is worth paying attention to some of the middle ground left out of Kant’s dichotomy. In a word, they prompt us to engage in the “casuistry of a Jesuit” and to offer a philosophical account of truces: a non-cosmopolitan theory concerned with the reduction and limitation (rather than the elimination) of war. Influenced by Kant, our political imagination is committed to a binary distinction between war and peace. Since truces are neither, we don’t pay them serious attention. As the brief but representative excerpts in the first chapter suggest, when we do think about truces we consider them as “mere truces”: stepping stones in the transition beyond themselves, to something better and more durable - a permanent peace. Truces are acceptable for a while, but then they must be left behind. Staying in one for too long signifies failure. When we do find ourselves in a long-term truce we tend to obscure that reality by employing the terminology of war and peace all the same. The US and the Soviet Union had a “Cold War” for more than forty years although they never fought directly. The Americans and the Russians were not at war. And they were not at peace. Why don’t we have a clear way of thinking and talking about that in-between state?

It is time to take truces much more seriously. By dismissing them and continuing to focus on the war-peace dichotomy we are denying ourselves a useful descriptive tool that could help us make sense of the way many conflicts actually subside. More

¹¹ Kleingeld, P. 2006. “Kant’s Theory of Peace” in Guyer, P., ed. *The Cambridge Companion to Kant and Modern Philosophy*. New York, NY: Cambridge University Press. P. 501

significantly, by insisting that the only acceptable way to end a war is with a lasting, stable peace, we risk fighting longer and harder than we have to, and missing opportunities to economize on the costs of war.

A useful theory of truce would begin by providing a taxonomy of arrangements mitigating war that fall short of cosmopolitan peace. The theory would then describe the philosophical and practical commitments involved in the willingness to engage in truce-making. We shall call these commitments “Truce Thinking.” The theory would have to be resistant to the criticisms, articulated earlier, of Kant’s idea of peace. But such immunity would not be enough to recommend it. A theory of truce would have to be supported by positive arguments that establish why the idea of truce is specifically useful. Such a theory would also have to be resistant to Kant’s critique that truce making amounts to *realpolitik*. Finally, the theory would have to be normative as well as descriptive. Normatively, it would spell out at least some of the conditions under which it is especially appropriate to engage in truces. Descriptively, it would help to make sense of real cases where Truce Thinking was preferred to cosmopolitan arrangements. More controversially, it would be helpful in making counterfactual historical judgments about cases where cosmopolitan thinking was employed erroneously and Truce Thinking could have been more helpful. In the remainder of this chapter I take up all but the last of these tasks. I will say a few words about the descriptive virtues of the theory here. But a detailed defense of its descriptive force will be provided in part III of the book.

3. A taxonomy of truces

We will use the term “truce” to cover a variety of arrangements that halt war, prevent it from erupting, or reduce its scope - all without bringing about lasting peace. These arrangements fall under the headings of **armistices**, **ceasefires**, **agreements to limit** (rather than stop) belligerence and **avoidance**. Let us clarify these in turn.

In the last century, the term **armistice** has come to signify a treaty ending hostilities. Famous armistices include the series of agreements signed in 1949 between Israel and its enemies in the 1948 Middle East war (Egypt, Lebanon, Jordan and Syria), and the 1953 Panmunjom Agreement that concluded the Korean War. Of these armistices, only two matured into full-blown peace agreements (between Israel and Egypt in 1979 and between Israel and Jordan in 1994). Armistices preclude parties from exercising violence against each other, but they do not, as a rule, create the foundation for a lasting peace. As international law scholar Yoram Dinstein puts it “an armistice is restricted to the demise of the negative aspect of war.”¹² While armistices can set geographic lines of demarcation between combatants, these newly drawn borders are viewed as temporary and usually remain closed. Unlike a formal peace agreement, an armistice almost never contains clauses regulating trade or cultural relations, and it does not provide for the creation of diplomatic ties.¹³

Ceasefires involve the temporary cessation of hostilities between two parties and they can be initiated by local commanders on the ground or by political actors. They are often called for a specific duration and for specific purposes. The famous 1914

¹² Dinstein, Y. 2001. *War Aggression and Self Defense*. New York, NY: Cambridge University Press. P. 43

¹³ See Dinstein, Ibid., and Greenwood C. 1995. “Scope of Application of Humanitarian Law” in Fleck, D. *Handbook of Humanitarian Law in Armed Conflict*. New York, NY: Oxford University Press.

“Christmas Truce” along the Western front was a locally initiated ceasefire for a limited time and for a specific purpose (it lasted up to four days and was meant to allow soldiers to rest during the holiday and to collect the dead that lay frozen in No Man’s Land).¹⁴ Bosnians Serb and Muslim military commanders regularly agreed on short-term ceasefires during the Bosnian Civil War in order to collect their casualties.¹⁵ Ceasefires are sometimes called unilaterally. Thus, for example, the 2003 “Hudna” declared by Hamas was a unilateral ceasefire that quelled fighting between the organization and Israel and was meant to allow some respite for the beleaguered citizens of Gaza, as well as a chance for the Palestinian organization to regroup after the damage Israel inflicted on it.

Agreements to limit (rather than stop) belligerence can restrict fighting to predetermined periods, or predetermined circumstances. The 11th century Christian doctrine of the “Truce of God” restricted fighting to four days of every week. During the 1990’s Israel, Syria and Lebanon reached an informal set of agreements that limited fighting between Israel and Hezbollah to military targets in South Lebanon¹⁶.

Finally, efforts of **Avoidance** are meant to get around belligerence altogether, even when the conditions for a long-term, principled and friendly relationship are lacking. This may be achieved by crafting coalitions that limit the powers of the different parties, by agreements (formal or informal) to divide zones of political influence, or through mutual deterrence (or by combinations of these methods). The so called “Concert of

¹⁴ For good accounts of the Christmas Truce see Weintraub, S. 2001. *Silent Night*. New York, NY: Free Press and Brown, M. and Seaton, S. 1999. *Christmas Truce: The Western Front December 1914*. London, U.K.: Pan Books.

¹⁵ An especially affecting account of one such truce can be found in Loyd, A. 1999. *My War Gone By I Miss it So*. New York, NY: Penguin. PP. 112-115

¹⁶ A good discussion of the doctrine of the Truce of God can be found in Cowdrey, H. E. J. 1970. “The Peace and the Truce of God in the Eleventh Century.” *Past and Present*. pp. 42-67. For a useful overview of the evolving relationship between Israel and Hezbollah see: Sobelman, D. 2003. *New Rules: Israel and Hezbollah after the Retreat from Lebanon*. Tel Aviv: Yafe Center for Strategic Studies (Hebrew).

Europe” created after the Napoleonic Wars contained France, restored the balance of powers in the continent, and kept it quiet for almost a century. The division of Europe into zones of influence after the Second World War, the Arms Race that ensued, and the threat of mutually assured destruction it generated were together responsible for the Americans and Soviets never fighting directly.

4. Truce Thinking

Belligerents sometimes make truces to enhance their ability to win wars. It is this truism that informs Kant’s cynical view of truces. But Kant’s position is oversimplified. There can be other motivations for making truces and, as we shall see, not all of them are ominous. What follows is a characterization of “Truce Thinking” - the philosophical assumptions and commitments that underpin the willingness to engage in truce making.

A focus on immediate benefits

The Jewish Satirist Alter Druyanov recounts an anecdote about a despot who decides his dog must learn to speak. The despot reviles the Jewish community living under him but admires their Rabbi for his wisdom and erudition. One evening the tyrant summons the rabbi. “You are one of the smartest people around,” the tyrant begins. “I don’t like you or your people, but I need help,” he continues. “See this dog at my feet– I need you to teach him to talk. If you succeed I will be kind to your people. If you fail - God help you all.” The Rabbi strokes his beard for a long moment. “Teach your dog to talk... not easy...it will take a long time and a lot of money...give me five years and three thousand Dinars and I will do it.” The tyrant agrees, but not before he repeats his

threat. The Rabbi goes home and knocks on the door with excitement. “Bluma,” he tells his wife, “look! I have three thousand Dinars!” “That’s wonderful!” She exclaims. “How did this happen?” The Rabbi tells her. Bluma’s face turns grey. “What have you done? You can’t teach a dog to speak! We are done for.” “Slow down, Bluma” The Rabbi replies. “Five years is a long time. Maybe the dog will die, maybe the tyrant will die, or maybe the Messiah will come. We’ll see”.

Truce Thinking emphasizes immediate benefits - temporary relief, rest, quiet over more abstract considerations regarding the rights of the parties, mutual acknowledgment and settling questions about distributive justice. More precisely, Truce Thinking suggests that it is worthwhile pursuing immediate benefits even when we have no idea if the more permanent concerns can be addressed. Like the Rabbi, the Truce Thinker wants to buy time. During that time circumstances may change. The dog or the tyrant could die, or the Messiah might come: new, more moderate political parties could come to power, the balance between the global political parties supporting each of the combatants could shift, a manmade or natural cataclysm could put local tensions into perspective. Or the very fact of quiet and rest could generate stakes in continued quiet and rest. People could get used to not killing each other and hesitate to return to it.

Peace Thinking is future oriented. The references to “the future of our children” pervade most peace speeches. “We want our children and your children to never again experience war”;¹⁷ “for the generations to come, for a smile on the face of every child born in our land, for all that I have taken my decision to come to you...to deliver my

¹⁷ Benjamin Netanyahu, speech at Bar Ilan University, June 14th, 2009.
English version available online: <http://www.haaretz.com/hasen/spages/1092810.html>

address”;¹⁸ “I do not believe that you want Northern Ireland to ever again be a place where tomorrow's dreams are clouded by yesterday's nightmares”.¹⁹ Truce Thinking, by contrast, is oriented towards the present. It deemphasizes the future. It leaves some of the hard work for the next generations. If the Israelis and the Palestinians can stop shooting at each other for ten years without resolving questions about borders, the status of Jerusalem, or the “right of return,” so be it. A lot could happen in ten years. If the Sunnis and Shiites can recreate a vibrant commercial life in Iraq without completely resolving the constitutional arrangement dividing power between them, so be it. Commercial life and the fact of quiet have their own dynamic. If the Afghan government can negotiate a five-year ceasefire with Taliban and other insurgents that would allow for trade to resume in most of the country’s urban areas, such a ceasefire would be worth pursuing even if it did not settle all disagreements about power-sharing and the disarming of militias. Five years of quiet is a long time. Some of the disputes may resolve themselves. The local population whose support is necessary for any guerilla force to thrive may become attached to the quiet and refuse to continue to support guerillas fighters.

Aiming low

A time-tested negotiating strategy recommends that we aim higher – ask for more than we might actually settle for: price your home high when you put it on the market, demand a steeper raise than you would be satisfied with, push your children to get

¹⁸ President Anwar Sadat’s speech to the Israeli Knesset, November 20th, 1977.

English version available online: http://www.jewishvirtuallibrary.org/jsource/Peace/sadat_speech.html

¹⁹ President Bill Clinton on Northern Ireland’s Good Friday Agreement, December 13th, 2000. Available online:

<http://www.independent.co.uk/news/uk/home-news/clinton-urges-peace-in-farewell-ulster-speech-626328.html>

straight A's so that they will bring home B+'s and so on. The strategy has a diplomatic correlate: articulating ambitious goals as part of a process of conflict resolution in hope that the parties will be pressured into making more progress. Aim at reconciliation and you end up with coexistence. Aim at coexistence and you end up with the status quo.

High expectations can, indeed, motivate a negotiating partner. But they can also paralyze her. They can signal that she is bound to disappoint and, as a result, instill a sense of helplessness. The risk is not limited to a specific party bowing out of the negotiation. Setting goals too high may well create a sense of cynicism about the activity itself. Buyers may stay away from our home altogether; our children may simply give up on their studies. The combatants may decide that “if this is what peace is about – if this is what we have to do for it – we have no interest.”

Truce Thinking works in the reverse direction. It aims low in order to strike high. It seeks to generate a measurable, visible reduction of war. To give combatants a “taste” of peace, hoping that the taste will create an appetite, hoping, to use the words of the Palestinian poet Mahmoud Darwish, that “the flavor of peace may be absorbed by the soul.”²⁰

The Freeze movement ignited by Randall Forsberg in the 1980's illustrates the potential of aiming low. A two paragraph proposal to first “decide when and how to achieve a mutual and verifiable freeze on the testing, production and future development of nuclear warheads” and later to “to pursue...verifiable reductions” in the number of such warheads, caught on like a brush fire in the United States, sweeping up scores of civic and professional organizations, city councils and state legislators. Within two years

²⁰ Taken from the poem “State of Siege”. Published in Darwish, M. 2011. Akash, M. Trans. *State of Siege*. Syracuse, NY: Syracuse University Press.

of its publication, the Freeze proposal became the most “successful American grassroots movement of the twentieth century.”²¹ It brought out millions into the streets, was adopted by the House of Representatives and, eventually, convinced President Reagan that his policy of preparing for, rather than trying to avoid a nuclear war with the Russians had to be reversed. Part of the reason why the Freeze movement was so effective lay in its modesty. The proposal was a quintessential example of Truce Thinking –it stated an obtainable, tangible goal, which ordinary people who knew little about international security could relate to. Rather than “banning the bomb” or ending the state of war with the Russians, Forsberg and her followers called for freezing nuclear weapons at their current levels. They demanded a truce in the nuclear arms race rather than pushing for ending it all together. The effect, however, was to begin the process of arms reduction.

Albert Camus’ 1956 call for a “civilian truce”²² between the French and the *Front de Libération Nationale* (FLN) forces fighting in Algeria was based on a similar premise. The French and Algerians could agree on very little, he knew, but he hoped that they could at least agree to refrain from attacking civilians. “It is possible today,” he wrote, “on a single definite point, to agree first and then to save human lives.” Such limited agreement may open the door for future progress: “by bringing about such a slight thaw on a single point, we may hope someday to break altogether the block of hatreds and crazy demands in which we are all caught.” Unlike the “Freeze” initiative, Camus’

²¹ For a useful overview of the Freeze movement see Carroll, J. 2006. *House of War: The Pentagon and the Disastrous Rise of American Power*. Boston, New York: Houghton Mifflin pp. 385-397.

²² Camus’ appeal is available on line here:

http://www.pwff.cz/archivy/texts/readings/albert-camus-appeal-for-a-civilian-truce-in-algeria_2881.html

“Civilian Truce” proposal failed miserably. Given the asymmetrical nature of the conflict in Algeria, his specific version of “thawing” was ill chosen. The FLN was under-funded and under-equipped and had little choice but to resort to guerilla tactics that, inevitably, involved harm to civilians. Accepting Camus’ proposal would have, practically speaking, meant giving up their struggle all together. And yet, the idea of “thawing”, as Camus laid it out, was crucial. When a comprehensive agreement is out of reach, parties can be well served by locating a modest, narrow area of agreement and attempting to make progress on that limited front. Such an agreement serves to improve their situation in that context, to create a channel of communication that may be used for further acts of “thawing” and, in addition, demonstrates to the parties involved that they are capable of constructive interaction.

The legal scholar Gabriella Blum has made a similar claim in her recent book *Islands of Agreement*. Blum argues that practitioners and scholars concerned with international conflict focus on questions of conflict *resolution* and tend to ignore opportunities for limited but significant localized cooperation: “most conflictual situations, even those of armed conflict, may be found to include some areas that both parties have in common and that can serve as a basis for cooperation, however limited.”²³ Such agreements “carve out pieces of the conflict and attempt to sustain an equilibrium of more limited hostile engagement, thereby mitigating destruction and preventing further escalation.” Blum’s examples range from a 19th century arrangement between the United States and Mexico to protect merchants in case a war should break out between the two nations, to agreements between China and Japan to protect certain kinds of naval vessels

²³ Blum, G.2007. *Island of Agreement: Managing Enduring Armed Rivalries*. Cambridge, MA: Harvard University Press. P. 4

during any potential conflict, to the Indus Waters Treaty between India and Pakistan discussed earlier.

Irreconcilable enemies don't have to fight

It is possible to avert war with those who will not make peace with us. Israel and the Hamas are genuinely irreconcilable. The Soviets and the Americans were genuinely irreconcilable during much of the Cold War. But the realization that others are radically, wildly different from us, that they see the world in terms that we can never accept, that they are, in principle, committed to our demise, does not have to lead to belligerence.

In early 1946, the American Diplomat George Kennan sat down at his desk in Moscow to write a reply to a query sent by the State Department. His superiors wanted to know why the Soviets refused to join the World Bank and the International Monetary Fund. Kennan's response, which became known as the "Long Telegram," (it was 8000 words long and opened with an apology for "burdening the telegraphic channel") went far beyond the question. It took up the future of the relationship between the two powers in the broadest terms.²⁴ Kennan argued that the radical difference between American and Soviet ideologies did not imply that military confrontation was inevitable. First, because Soviet ideology itself did not dictate war: "we are going to continue for long time to find the Russians difficult to deal with. It does not mean that they should be considered as embarked upon a do-or-die program to overthrow our society by a given date. The theory of the inevitability of the eventual fall of capitalism has the fortunate connotation that

²⁴ The Telegram was later revised and published anonymously in the July 1947 issue of *Foreign Affairs* under the title "The Sources of Soviet Conduct". It became known as the X Article. I quote from the *Foreign Affairs* version of the essay.

there is no hurry about it. The forces of progress can take their time in preparing the final *coup de grâce*.” Second, because ideological difference alone neither starts nor sustains a war: “[World War II] has added its tremendous toll of destruction, death and human exhaustion. In consequence of this, we have in Russia today a population which is physically and spiritually tired... There are limits to the physical and nervous strength of people themselves.”

Kennan reminds us that those who are, in theory, ready for a “duel of infinite duration” do not have to become enemies in practice. An opposing political entity can stand on the other side of an ideological abyss and yet harbor no tangible desire to fight. The ideology itself, simple exhaustion or a combination of both may well bode for quiet.

There is a gap, Kennan suggests, between ideological difference and military action. And we can exploit that gap; we can buy time, perhaps even a lot of time. And during that time, if we become the best, most principled example of ourselves, if we show off the ways in which our own ideological and cultural commitments are more benign than those of the competition, things may change in our favor. For Kennan, “containment,” the term he became famous for, was mainly a cultural, diplomatic project. Prevailing in the contest with the Russians depended largely on whether the US could “measure up to its own best traditions and prove itself worthy of preservation as a great nation.”

Tragically, Secretary of Defense Forrestal, who initially encouraged Kennan to rewrite his telegram as an essay for *Foreign Affairs*, badly misread his protégé’s argument. Focusing exclusively on the discussion of the unbridgeable ideological difference between the Soviets and Americans, he concluded that the Soviets were, by

definition, an enemy and had to be met with equal force anywhere they made military headway. It was this militarized understanding of containment that, to a large extent, animated the American involvements in Korea and Vietnam.

Forester's distortion notwithstanding, Kennan's essay embodies an important facet of Truce Thinking. Long term quiet and real enmity are compatible. Though it would certainly be nice, we do not have to stop hating, fearing or disagreeing with others in order to prevent war. The very ideologies we balk at can become the source of calm. Marxism did not require a War of Armageddon with the West. Neither does Political Islam. There are openings. There are cracks. The question for the Truce Thinker is not whether we can make friends out of our enemies. It is, rather, whether we can get to know our enemies well enough, as Kennan did, to find ways of not fighting them.

Steering clear of "Imprudent Vehemence"

In an essay titled "Of The Balance of Powers," David Hume indicts Britain for a degree of "imprudent vehemence" in fighting her wars with France. An excessive commitment to the justness of her cause, to her alliances and to the very idea of spirited fighting led Britain to fight longer and harder than she had to, without achieving substantive gains from the prolonged engagements.²⁵ War, Hume seems to suggest, while sometimes necessary, should proceed in the most economic fashion possible, and in the name of a country's most vital interests. Fighting to vindicate political principles or an interpretation of political identity, while honorable, ends up bringing about unnecessary harm. Picking up on Hume's idea of "imprudent vehemence," the political theorist

²⁵ Hume, D. 1987. "Of the Balance of Powers" in *David Hume Essays Moral Political and Literary*, Miller, E.F. ed. Indianapolis, IN: Liberty Fund. Pp332-341

Michael Doyle has suggested that such an over-zealous attachment to liberal principles may at least partially explain the fact that, contrary to Kant's predictions, democracies are not especially peaceful when it comes to their dealings with non-democracies: "in relations with powerful non-liberal states, liberal states have missed opportunities to pursue negotiation of arms reduction and arms control when it has been in the mutual strategic interest." Thus, for example, "Opportunities for splitting the communist bloc along cleavages of strategic national interest were delayed." The Americans failed, for a long time, "to exploit and appreciate ...the Sino Soviet split," largely because they thought that a liberal regime should not befriend the totalitarian Chinese. Similar delays resulted in a failure to support Tito's independent minded version of communism in Yugoslavia.²⁶ The Truce Thinker is sympathetic to Hume on this point. Prioritizing principles or a virtuous national self-understanding may make wars longer and bloodier than they have to be. The sentiment is summed up by the historian A. J. P. Taylor who famously commented that "Bismark fought 'necessary' wars and killed thousands; the idealists of the twentieth century fought 'just' wars and killed millions."²⁷

The Truce Thinker would engage the Soviet Union in arms reduction talks over the objections of a Solzhenitsyn who claimed that the Russians' abysmal record on human rights disqualifies them as negotiating partners. He would engage North Korea in an effort to control its nuclear program, in spite of that nation's appalling treatment of its own citizens. The argument, in both cases, is that the potential benefit of arms control is simply too great to abandon in the name of liberal principles, and that standing on

²⁶ Doyle, M.W. 2006. "Kant and Liberal Internationalism" in Klingeld, P. *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*. New Haven, CT: Yale University Press. pp 218-219

²⁷ Taylor, A.J.P. 1953. *Rumours of Wars*. Hamish Hamilton. P 44

principle in such cases amounts to a form of “imprudent vehemence.”²⁸

Preparations for Future Fighting

Finally, some truce makers hope that by pausing or reducing the rigors of war, they will improve their position in future fighting; combatants may rest, work on fortifications, improve the quality of armaments, replenish ammunition, repair equipment and so on. It is, of course, this kind of motivation that is at the root of Kant’s suspicion of truces. The Tamil Tigers, for example, signed up to a 2002 truce with the Sri Lankan army only in order to buy time and rearm. A certain Colonel Caruna who broke with the Tigers told London’s *Guardian* that the guerrillas’ leader, Velupillai Prabhakaran, instructed him to “drag these talks out for about five years. Somehow let the time pass by.” In the meantime, the leader added, “I will purchase arms and we will be ready for the next stage of fighting.”²⁹ Many Britons were suspicious when the Provisional IRA offered a Christmas Truce in December of 1972. “What is this magnanimous truce they have ordered?” asked the *Glasgow Times* in a December 21st editorial. “Is it an opportunity to regroup and rearm? Is it an opportunity to lull the British people into a false sense of security?”³⁰ Israel is concerned that Hezbollah has been using a United Nations brokered 2006 ceasefire to rearm and improve its weapons systems for a future

²⁸ For a position of this kind on North Korea see Walter Clemens’ Op-Ed piece of November 4th, 2011 in the New York Times titled “Listening to the Axis of Evil”. Clemens writes:

“If a cruel dictatorship is willing to negotiate security arrangements that make war less likely, democratic governments should engage with them and seek a deal.... The world has always had its bad guys. Negotiating with them can be distasteful but useful — as the many arms control accords signed by the United States and the Soviet Union attest.” Available online at:

<http://www.nytimes.com/2011/11/04/opinion/listening-to-the-axis-of-evil.html>

²⁹ *Guardian*, April 4th, 2007. Available at: <http://www.guardian.co.uk/world/2007/apr/04/srilanka>

³⁰ *Glasgow Herald*, December 21st, 1974. Available at:

<http://news.google.com/newspapers?id=5Y9AAAAAIBAJ&sjid=7KQMAAAAIBAJ&pg=1765,4318698&dq=truce+rearm&hl=en>

round of fighting. A Hezbollah commander admitted as much in an interview with the *Observer*: “Sure, we are rearming, we have even said that we have far more rockets and missiles than we did in 2006.”³¹

Let us take stock of how we have characterized Truce Thinking. Contrary to the Kantian assertion that war must be seen as an anomaly to be eradicated, the Truce Thinker recognizes that there are cases in which it must be understood as a chronic condition to be managed. This is especially true in asymmetrical conflicts but not only in these; the list of intractable symmetrical conflicts is considerable as well (India and Pakistan, North and South Korea, Israel and Syria to name a few). In such cases, it is useful to turn away from the ideal of conflict *resolution* - informed, indeed inaugurated by the Kantian rejection of war itself - and focus on minimizing the costs of fighting instead. The optimism about the passage of time expressed in Druyanov’s anecdote, the focus on thawing evident in Camus’s proposal, the realization that ideological enmity does not have to result in actual fighting and Hume’s skepticism about fighting in the name of transcendent rather than tangible interests, all converge into a focus on managing, containing, partially avoiding and postponing conflict rather than completely eradicating it. All these tendencies express an acceptance of war’s reality and even its occasional necessity, on the one hand, and an insistence that its costs can be controlled on the other. Truce Thinking, then, amounts to a non-transcendental theory of conflict reduction. Western political thought about war’s end has neglected, marginalized or completely rejected this way of thinking. In fact, as we have seen, it has collapsed Truce Thinking into the most crass form of political realism and has proceeded to repudiate it on those

³¹ Guardian, November 8th, 2009. Available at: <http://www.guardian.co.uk/world/2009/nov/08/hezbollah-rearms-against-israel>

grounds.

The thrust of Truce Thinking as presented here is pragmatic. It is not meant to “unseat” Kant’s ideal but to add to our repertoire for thinking about winding down wars. As we have noted in the first chapter, the legacy of Kant’s theory of peace is immense: the United Nations, the permanent International Criminal Court, the Ad Hoc International Criminal Tribunals from Nuremberg to Yugoslavia, the gradual spread, after the Second World War, of the culture of universal human rights, our tradition (spotty as it is) of humanitarian intervention and genocide prevention, the European Union - to name but a few developments - can be traced directly to Kant’s cosmopolitan ideal. The trouble is not with the cosmopolitan ideal of perpetual peace but with the insistence on applying it rigidly to all conflicts. As I have argued in the previous chapter and reiterated here, the ideal offers problematic guidance in a specific set of cases. If, for example, the Scholar Martin van Creveld is right to argue that international conflict has moved into the nooks and crannies of the international system, and is now largely a matter of states fighting diffuse, non- state organizations, it is not clear that the idea of perpetual peace, premised as it is on the ability of nation states to exert centralized control over the use of violence, remains a promising way of thinking about winding down conflicts. Indeed, as I have argued here and will explore in greater detail in part III, Kant’s ideal has, occasionally, led policy makers to insist on dangerous, ineffective ideas for ending war while rejecting useful proposals for reducing its harms.

5. Truce Thinking and Realpolitik

Recall Kant's charge that truces are exercises in political cynicism. As far as Kant is concerned, the Truce Thinker practices a Machiavellian separation between ethics and statecraft – a form of realpolitik that scholars of international relations sometimes call “radical” or “extreme” realism.”³² For the radical realist the unsentimental, unapologetic pursuit of political self-interest is the only way to ensure a state's survival. “Because there is such a distance between how one lives and how one should live,” Machiavelli writes in the infamous central chapter of the *Prince*, “he who lets go that which is done for that which ought to be done learns his ruin rather than his preservation...”³³ The same disdain for normative considerations is displayed by the Athenians in Thucydides' Melian Dialogue. Thucydides imagines a conversation between the envoys of Athens and the representatives of the tiny Island state of Melos, which the Athenians were about to conquer. The Melians insist that they have done nothing wrong and should, by rights, be left alone. The Athenian generals scoff at this. Justice, they remind the Melians, comes into play only between equals. But “when one side is stronger, it gets as much as it can, and the weak must accept that.”³⁴

We should now be in a position to at least partially reject Kant's accusation. Truce Thinking does not segregate ethics and international relations. It is, in fact, committed to a straight forward moral principle: economizing on the costs of war. Of the five dispositions definitive of Truce Thinking (optimism about the passage of time, aiming

³² For a useful overview of the different varieties of realism see: Korab-Karpowicz, W. J. 2011. “Political Realism in International Relations”, *The Stanford Encyclopedia of Philosophy*. Zalta, E.N. (ed.), URL = <<http://plato.stanford.edu/archives/win2011/entries/realism-intl-relations/>>.

³³ Machiavelli, N. 1989. *The Prince*. de Alvarez trans. Waveland Press. p. 93

³⁴ Thucydides. 1972. *History of the Peloponnesian War*, trans. Rex Warner, Harmondsworth: Penguin Books, 1972. 5.89

low, ideological enemies don't have to fight, de-emphasizing principles, preparing for future conflict) the first three include explicitly moral commitments: putting off violence in hope that a period of quiet will usher in further quiet; finding discrete "islands of agreement" so as to limit belligerence, alleviate suffering and restore trust among combatants; finding "gaps" between official ideologies and actual material and political conditions, as Kennan suggested, so that theoretical enmity is not translated into actual warfare. Underlying these three aspects of truce thinking, then, is the normative dedication - not to eradicate war, not to end it once and for all, but to put it off for as long as possible and to limit and manage its costs when it can't be put off.

The fourth aspect of Truce Thinking— the Humean recommendation that wars not be fought for transcendent ideals but for precisely defined national interests, certainly has a realist orientation. While Hume insists that such a focus economizes on the harm war does, his recommendation is not quite sufficient to protect against a slide to radical realism. His line of thought may well justify aggressive warfare in the name of an especially pernicious understanding of one's self interest. Here it is perhaps useful to elaborate on the relationship between the different aspects of Truce Thinking. I take the de-emphasis of principle suggested by Hume to be subordinate to the first three aspects of Truce Thinking. In other words, the Truce Thinker de-emphasizes principle when such an orientation can be helpful in buying a significant amount of time, locating islands of agreement, or finding gaps between opposed ideologies and actual material conditions. To simply deemphasize principle in one's conduct of foreign policy does leave one open to the charge of *realpolitik* (more precisely such conduct constitutes the definition of *realpolitik*). Thus, for example, Israel has a legitimate expectation, grounded in

cosmopolitan principles, that a peace agreement with the Palestinians include a clause of mutual recognition. The Truce Thinker would de-emphasize this expectation only if there were reasons to suppose that it is getting in the way of striking an otherwise beneficial deal. If the choice is between failing to reach a completely just and legitimate peace, and reaching a partially satisfying, reasonably stable interim agreement that actually promotes calm on the ground, the Truce Thinker chooses the latter.

In conclusion, any act of Truce Thinking that emphasizes the first three commitments and subordinates the fourth to them cannot be justifiably accused of realpolitik. An act of Truce Thinking that emphasizes the fifth aspect (making truces simply to improve one's position in future fighting) is susceptible to Kant's charge. It is worth qualifying even this last statement. The reasons for reaching a political arrangement do not always exhaust its ultimate significance. The Magna Carta was conceived as a purely political compromise between King John and his barons. The South African Truth and Reconciliation Commission was a political compromise resulting from the stalemate between the National Party and the African National Congress. And yet both institutions came to take on moral meaning apart from the reasons they were created, as symbols of constitutionalism and political reconciliation respectively.³⁵ A truce can change political circumstances in ways quite different from those intended by its instigators; even if initiated as an opportunity to rest and rearm, it can come to mean different things to the people whose life it impacts than it does to those who set it in

³⁵ Reflecting on the moral tradeoffs involved in the work of South Africa's Truth and Reconciliation Commission, the political theorist Jonathan Allen writes: "the fact that an institution is the product of a political negotiation in which the parties were intent on self-interested goals, narrowly conceived, does not demonstrate that the institution does not *also* and in spite of the participants' goals, express morally defensible values." Allen, J. 1999. "Balancing Justice and Social Unity: Political Theory and the Idea of a Truth and Reconciliation Commission," *University of Toronto Law Journal*, v. XLIX (3) p. 322.

motion. As Burke reminds us, for better and worse, there is rarely linear causation in politics: “that which in the first instance is prejudicial may be excellent in its remoter operation.” But Burke’s point only takes us so far. To suggest that the most cynical reasons for making truces can be morally justified due to unforeseen future consequences requires a greater consequentialist commitment than I am willing to make. So let us suffice in presenting this last point as a cautionary note: pure realpolitik is subject to moral condemnation; making truces simply in order to rearm is subject to moral condemnation. And yet the Truce Thinker displays a degree of epistemological modesty. Bad intentions do not necessarily result in bad political conditions.

It is, of course, a separate question altogether whether Truce Thinking is related to more moderate understandings of political realism. The so-called “classical realists,” for example, are not as adamant about separating ethics and international politics as their radical counterparts. In his 1948 *Politics Among Nations*, Hans Morgenthau argued that, when applied to international relations, moral principles should be tempered by a sense of prudence: “Universal moral principles...cannot be applied to the actions of states in their abstract universal formulation, but ...they must be filtered through the concrete circumstances of time and place...there can be no political morality without prudence; that is, without consideration of the political consequences of seemingly moral action... A man who was nothing but ‘political man’ would be a beast, for he would be completely lacking in moral restraints. A man who was nothing but ‘moral man’ would be a fool, for he would be completely lacking in prudence.”³⁶ Whether or not Truce Thinking is consistent with classical realism à la Morgenthau can be left undecided for the moment. It

³⁶ Morgenthau, H. 1948. *Politics Among Nations: The Struggle for Power and Peace*. New York, NY: McGraw Hill. p. 12

is not Morgenthau's view of international politics that Kant attacks, but, rather, Machiavelli's insistence that the purely "political man" is not a "beast" but rather the only true prince. Kant is right to reject the Machiavellian view of winding down wars. So far, I hope to have established that Truce Thinking, as it is described here, cannot be reduced to it.

6. Truce Thinking and the weaknesses of Perpetual Peace

Truce thinking is not susceptible to the critiques of cosmopolitan peace enumerated earlier. As we have seen, its first three facets (optimism about the passage of time, aiming low and the realization that ideological rivals need not fight) stress conflict management rather than resolution. Consequently the theory is especially helpful for thinking about asymmetrical warfare, counter insurgency campaigns and other forms of war that are difficult to comprehensively end.

For similar reasons, Truce Thinking is helpful in seizing opportunities for limited, localized agreements (opportunities that the cosmopolitan approach, with its dismissal of partial arrangements, is likely to let pass). The Truce Thinker, to use the language we have borrowed from Camus, sees such localized agreements as possibilities for "thawing", opportunities that carry a triple benefit: a chance to alleviate specific suffering while, at the same time, creating channels for future communication and demonstrating to the combatants (and to third parties) that constructive interaction is still possible in spite of the violence.

By de-emphasizing questions of political identity and other transcendent considerations for going to war, the Truce Thinker is more resistant to the risk, articulated

by Kenneth Waltz, of engaging in a “democratic crusade” in order to make the world more peaceful. She is also more willing to engage non-democrats and even anti-democrats if the stakes are sufficiently high. While this may raise concerns about appeasement (an objection we shall address in the last part of the book), it also implies that the Truce Thinker will neither fight primarily in the name of an idea nor refuse to negotiate simply because her interlocutor does not share her conception of the good.

7. Positive arguments in support of Truce Thinking

Truces in Political Islam

From Palestine to Afghanistan to Iraq western powers have spent a good deal of the last two decades fighting (primarily asymmetrical engagements) with Muslims. An important advantage of introducing truces into our political repertoire is that Islamic Jurisprudence devotes a good deal of attention to them. The first truce in the Islamic tradition can be traced back to the Treaty of Hudaibiyah signed in 628 AD between Mohammad and the people of the tribe of Quraysh who controlled the city of Mecca. Mohammad and his followers wanted to perform a pilgrimage to Mecca but the local inhabitants did not welcome them. In order to avert a bloody confrontation, the parties reached a 10-year ceasefire regulating future pilgrimages. This agreement is the source of legitimacy of truces in Islam.³⁷

An Islamic truce or “hudna” consists in the suspension of the duty of Jihad against non-believers. It is permissible for Muslims to enter into such an agreement under a

³⁷ As one scholar puts it: “the treaty signed by the Prophet with the Meccans at Hudaibiyah ... was adopted as a model to be followed in respect to its stipulations, implementation and for the reason of its eventual revocation” See Weigert, G. 1997. “A Note on Hudna: Peace Making in Islam” in *War and Society in the Eastern Mediterranean, 7th-15th centuries*. Leiden, The Netherlands: Brill Publishers. pp. 400-401.

variety of circumstances – ranging from the perceived military weakness of the Muslim army through the remoteness of the battlefield to the scarcity of resources necessary for fighting.³⁸

Muslim thinkers allow for a wide range of hudnas – some lasting only a few days, intended primarily for rest and rearmament, others enduring six or, as in the case of Hudaybiyah, ten years. Furthermore, most Suni scholars accept the idea of unlimited hudnas when it is clear that the Muslim army cannot defeat its enemy.³⁹

The historical record provides numerous examples of truces between Muslims and “infidels.” Saladin and the Crusaders signed eight such agreements in the twelfth century (4 initiated by the Crusaders, 4 prompted by Saladin). Only one of these was broken.⁴⁰ The French and their Algerian foes under the command of Abd Al-Qadir signed two hudnas in the 1830’s,⁴¹ and the Spanish and the Moroccans signed a hudna in 1860 that eventually developed into a full-blown peace agreement.⁴²

Hudna is not the only term in Islamic jurisprudence denoting a temporary cessation of hostilities. The related notion of tahadiya shares the identical Arabic root h-d-n, denoting quiet or calm. While a tahadiya is usually a short, informal, often unilateral ceasefire, hudnas are formal, binding agreements between two parties and it is rare for them to be broken, as their stability and endurance are tied with the honor of the signatories: “Hudna,” writes one scholar, “denotes something sacred, although it is not a religious notion *per se*. Once a person has signed or shaken hands on a *Hudna* agreement

³⁸ Ibid, p. 400

³⁹ Ibid, p. 402

⁴⁰ See Ginat, J. 2006. "Hudna: Origins of the Concept and its relevance to the Arab-Israeli Conflict" in Podeh, E. and Kaufman, A.(eds.) *Arab-Jewish Relations: From Conflict to Resolution*. East Sussex, UK: Sussex Academic Press. P. 255

⁴¹ Ibid, p. 257

⁴² Ibid, p. 258

for a certain period of time, he might not renew it, but he will not resume fighting before the term of the agreement is over. There is a belief among Muslims that whoever breaches a *Hudna* will be punished by the almighty: one of the breaching party's family members may die or contract an incurable illness. If one breaches a cease-fire that is not a *Hudna*, there will be no retribution from Heaven. The annulment of other terms or agreements, even of a peace treaty, is not as severe as the annulment of a *Hudna*.”⁴³

Muslims take hudnas seriously. They view such agreements as a way of curtailing, sometimes even permanently ending wars. Western powers have been doing a lot of fighting with Muslims. Shouldn't these powers think more carefully about a method of conflict reduction central to the political tradition of their enemies?

Consider the recent history of the Israeli Palestinian conflict. Ever since the early 1990's moderate Israelis have been claiming that they want to reconcile with the Palestinians –to reach a peace accord ending all mutual claims and involving mutual recognition. The operative terms are Kantian– perpetual peace with justice and recognition. But these terms are foreign to a good deal of Islamic jurisprudence. Instead, Hamas, and increasingly other Palestinian factions, have claimed that they cannot recognize Israel as a Jewish State but would, rather, sign a long-term hudna with it. The Israelis, in turn, have taken such statements as evidence of Palestinian rejectionism. But what is it that is being rejected? Could it be that what is being rejected is the metaphysical baggage that comes with the idea of permanent peace and recognition rather than the reality in which people commit to stop killing each other?

A famous commentary on the truce of Hdaybiyah by Az-Zuhri tells us that “when the truce came and war laid down its burdens and people felt safe with one another,

⁴³ Ibid, p. 254

then they met and indulged in conversation and discussion.”⁴⁴ There is, according to this account, no need for a formal and final peace agreement in order for the combatants to talk (even “indulge” in talking) with each other. A reliable setting down of the burdens of war can suffice. The emphasis is not placed on the rationality of peace, nor on the rights of former combatants and their need to have their political identity reaffirmed, but on what happens when we focus on the more modest goal of easing – not completely and not forever – the rigors of battle.

Truces track practice

War does not always end with a clear-cut victory followed by a stable peace. Our stock associations – a signing ceremony on the Louisiana, confetti raining down on the crowds in Times Square, Churchill addressing ecstatic crowds outside Buckingham Palace, increasingly represent the exception rather than the rule of how wars actually wind down. This is especially true if we adhere to the Clausewitzian definition of war as an instrument of policy (and of victory in war as the ability to impose our policy aims on our enemies). On such an understanding, the American Civil War did not end with the victory of the North because, within a decade, the South was able to frustrate the northern vision of extending political rights to blacks. The first Gulf War didn’t end with an American victory because, in spite of America’s desire for a swift and clearly determined confrontation, the conflict ended with Saddam Hussein still in power, slaughtering the same insurgents the Americans had encouraged to rise up against him.

⁴⁴ See: Pickthall, M. 2004. *The glorious Qur'an: Text and Explanatory Translation*. Elmhurst, NY: Tahrike Tarsile. Surah 48, p. 557

These “ragged endings”⁴⁵ have become more noticeable after World War II. As we have seen earlier, since the late forties most military confrontations have become asymmetrical. Such conflicts are not usually “won”. They are, rather, kept at bay, stabilized or managed until they are brought to a bearable level or until slacking domestic support and prohibitive costs force the stronger power to call it quits. The French retreat from Algeria, the Israeli retreat from Southern Lebanon and the recent American departure from Iraq all follow this pattern. In fact, the way such conflicts play out suggests that our traditional ways of talking and thinking about armed conflict –the distinctions we make between *war* and *peace*, *victory* and *defeat* have become unstable. Did the Iraqi war *end* in December of 2011 just because the Americans left? Did the Americans *win* that war? Is Iraq now at *peace*? Who *won* the 2006 conflagration between Israel and the Hezbollah? And who is *winning* in Afghanistan?

Winning and the institution of peace have traditionally meant that one side can impose its political purposes on another. But guerilla warfare upsets this Clausewitzian view of war, often rendering it irrelevant. A party that has been defeated in conventional warfare can switch to guerilla tactics (as did the Taliban, the Iraqis and, according to some historians, the Southern Democrats after the American Civil War) in order to make sure the stronger side cannot obtain their political goals militarily.⁴⁶ When this happens, the very aims of war often change to stabilization, the reduction of killing and the establishment of some public order. None of these achievements presuppose a permanent, just end to conflict and all of them are closer to our definition of truce than they are to the classical idea of peace.

⁴⁵ I borrow the term from Jeb Sharp’s excellent five part series for PRI titled “How Wars End”. Audio available here: http://www.pri.org/theworld/?q=how_wars_end

⁴⁶ See Stephen Biddle, Interview with Jeb Sharp, Ibid.

Earlier we argued that the Kantian idea of peace is not useful for thinking about asymmetrical conflicts. It seems that the idea of peace suffers when it becomes difficult to clearly delineate victory or pinpoint war's end. Perhaps the very meaning of peace is derivative or dependent on the clarity of those terms. But we are not, here, trying to refine Kant's definition of peace and we need not answer these questions. Our purpose, in this section, is to provide positive arguments for taking the idea of truce seriously. And a look at how wars actually do end, especially recently, clarifies why we should: we tend to think that most wars end and that they are followed by a state of affairs we call peace. But in fact, many contemporary wars don't end at all. They morph - like the war in Iraq (from a brief exchange in 1991, to more than a decade of sanctions and the imposition of a no fly zone, to another brief exchange in 2003, followed by several years of counter-insurgency fighting) or Israel's war in Lebanon (from a brief, intense confrontation with the PLO in all of Lebanon in 1982, to a war of attrition with the PLO and later with Hezbollah in Southern Lebanon in the mid 1980's and 1990's, to a series of cross border skirmishes with Hezbollah in the first years of the new century, to another brief, intense war against Hezbollah in 2006, back to the heightened cross-border tensions obtaining as of this writing). They are managed, tweaked, kept at bay. This reality suggests that the idea of truce, as we have defined it, holds a fair degree of descriptive power.

There is, then, a curious gulf between how we talk and think about war's end and how we actually wind wars down. Truces are common in the practice of mitigating warfare but are almost never the subject of theoretical inquiry and are routinely dismissed as illegitimate political goals (recall the talk of "mere truces" in chapter 1). We make truces, some of them are quite effective in curtailing violence, but we rarely think about

what it means to make them, what assumptions underlie the willingness to make them, whether there are circumstances in which it is more appropriate to make truces than to insist on peace and so on. The political philosopher Michael Sandel has argued, in another context, that such gaps between what we do and the language available to talk and reflect about what we do induces moral disorientation or “vertigo.”⁴⁷ What it means to have this gap, practically speaking, is that a potentially powerful and effective way of mitigating the results of war is not immediately available to our imagination – that our conceptual toolkit for winding down war is not as rich as it could be. The Americans and the Russians had a cold “war” though they didn’t fight; the Israelis and Palestinians have a never ending “peace process”, though anything like a cosmopolitan peace is unlikely to be its result; The Taliban, it is hoped, will eventually engage in a “peace process” in Afghanistan though, here too, it seems like the result will look nothing like a Kantian peace; “reconciliation” was heralded as a benchmark for leaving Iraq in 2007, though our essentially Kantian idea of reconciliation was both foreign to the indigenous population and quite far from any accommodation that eventually emerged. In all of these cases it would have been more helpful to describe these relationships in terms that broke free from the war/peace dichotomy. The main goal of this book is to provide and articulate such terms.

⁴⁷ Writing about the way germline genetic engineering has outstripped existing moral categories Sandel warns: “When science moves faster than moral understanding, as it does today, men and women struggle to articulate their unease. In liberal societies they reach first for the language of autonomy, fairness, and individual rights. But this part of our moral vocabulary is ill equipped to address the hardest questions posed by cloning, designer children and genetic engineering. That is why the genomic revolution has induced a kind of moral vertigo.” See Sandel, M. 2007. *The Case Against Perfection*. Cambridge, MA: Harvard University Press. P. 9

Truces can keep us safe too

We assume that peace is required to keep us safe. That's part of its allure. We speak of a "lasting" or "stable" peace supposing that once we have achieved it (even if at a considerable price) we could finally begin living as private men and women focusing on our work and families. At peace, the liberal polity finally fulfills its telos and becomes an enabler rather than a taker of lives.

But a cursory glance at history suggests that peace is not always necessary to keep us safe. The policy of détente between the U.S. and the Soviet Union, an exercise in conflict management and avoidance if there ever was one, kept the two powers from destroying the world, until conditions ripened for a more principled and ambitious relationship. For more than thirty years, Israel has had a peace treaty with Egypt and an armistice with Syria. It is far from clear that its northern border is more dangerous than its southern one. There have been almost no direct confrontations over the last decades on both fronts. While the Syrians have enabled Hezbollah to arm itself to the teeth, the Egyptians looked away while Hamas used their territory to smuggle munitions into the Gaza strip. There is certainly no dramatic evidence that peace with Egypt has kept Israel much safer than its long-term truce with Syria.

To look back much further, the so called "Concert of Europe" created after the end of the Napoleonic Wars was an attempt to enforce the agreements reached in the Vienna Conference – primarily the preservation of the balance of power between European powers, and the containment and reintegration of France. This was nothing like a principled Kantian peace – the parties had little concern for mutual attitudes, forms of

government, or international norms of conduct. And yet, the arrangement kept Europe quiet for almost a century.⁴⁸

Examples can be multiplied but the point should be clear: formal, ambitious peace agreements that purport to end conflict fairly and decisively often guarantee the security of the parties who sign them. But such agreements do not represent the only alternative for obtaining stability. In some cases the interests, capabilities and ideologies of the parties bode well for prolonged calm even in the absence of formal peace agreements.

8. When to engage in Truce Thinking

We have argued earlier that Truce Thinking is meant to supplement rather than supplant cosmopolitanism. It follows that a good theory of truces must provide guidelines for when to engage in truce making. Such guidelines should be both prudential and normative. They should, in other words, tell us about the circumstances under which Truce Thinking is useful and about the moral conditions under which it is legitimate. Truce Thinking is likely to be useful in cases where a comprehensive and just peace backed up by democratic institutions is difficult to achieve: these cases include, as we have seen, asymmetrical conflicts which are tough to end and are more often managed, long-term intractable conflicts where a cosmopolitan approach has failed (or there is clearly no point in trying it), cases where real ideological gaps make a comprehensive peace improbable, and, finally, cases where immediate cosmopolitan action can reignite conflict or diminish the chances of winding down hostilities (Spain immediately following Franco's death or Mozambique immediately following the conclusion of its

⁴⁸ On this see: Howard, M. 2000. *The Invention of Peace*. New Haven, CT: Yale University Press p. 43

civil war come to mind). Of course this amounts to arguing that Truce Thinking is relevant when cosmopolitanism is not, and such an argument, by itself, does not take us far enough. The important and more difficult question is figuring out when it is legitimate to pursue partial, limited agreements. When, in other words, should the difficulty in pursuing cosmopolitan peace prompt us to make truces instead? Without such normative guidance truce making is indeed exposed both to the Kantian critique that blames truce makers for cynically buying time in order to go back to war, and to the charge of appeasement – preferring a short-lived, temporary respite from war to the upholding of principles that serve long-term international security.

The five facets of truce thinking we have outlined are helpful in answering this normative question. Briefly, the more an act of truce is motivated by the first three characteristics of Truce Thinking, the more legitimate it is. In other words, if there are reasons to think that in a given case postponing war for a period of time might generate increased stakes in further quiet, if there are specific limited areas of agreement that can alleviate suffering while possibly enhancing trust between the parties, and if there are reasons to suspect that the ideological enmities between two parties do not have to translate into war – truce thinking is a legitimate and useful surrogate for Cosmopolitan peace making. On the other hand, an act of truce making will raise serious concerns if it is primarily intended to improve conditions for future fighting, or if it is animated primarily by the desire to put off war for the short term (without the expectation that such a postponement will be long- lasting or will generate stakes in further postponement).

Now a critic may retort that these directives are not sufficiently instructive: how, she might plausibly ask, could one know such things? How could one tell whether truce

making is likely to generate further quiet, whether there are sufficient areas of agreement, whether there are real gaps between state ideology and material conditions on the ground? To rephrase this challenge in concrete historical terms, how are we, without the benefit of hindsight, to tell the difference between a Chamberlain who, insisting on “peace in our time,” sold Czechoslovakia down the river, appeased Hitler and precipitated the beginning of World War II and a Kennan who, in the Long Telegram, insisted that we should avoid war with the Soviets in spite of ideological differences, and by promulgating this doctrine of ‘containment’ helped, decisively, to prevent a nuclear holocaust?

The question is legitimate and, with Aristotle, we must concede that there is no political philosophy that can comprehensively and precisely answer it. The expectation of mathematical precision in politics is as implausible, the old master reminds us, as are approximations in the natural sciences. We must then “be satisfied to indicate the truth roughly and in outline.”⁴⁹ The key for predicting when aspects 1-3 of Truce Thinking are likely to be relevant –for understanding when postponing violence could lead to further postponements rather than an emboldening of the enemy, when there are sufficient “islands of agreement” to merit limited arrangements, when there are enough disparities between ideology and conditions on the ground to safely avoid war - lies in familiarity with the particulars of a given situation. Intimate, detailed, historical and cultural knowledge of our adversaries is the key to making these kinds of judgments. Such knowledge was central to Kennan’s successful recommendation. Having spent many years in Russia, having learnt the language, the literature, the culture, the structure of local politics, having talked to countless ordinary Russians, Kennan was in a position to

⁴⁹ Aristotle. 1998. *Nichomachean Ethics* B1.3. New York, NY: Oxford University Press

know what he needed to know. The widespread exhaustion from World War II, so compellingly reported in the “Long Telegram”, was witnessed first hand. The familiarity with the ideological assumption that capitalism would collapse under its own weight (and thus need not be fought immediately) was gleamed from close and repeated reading of Marx and Lenin. Chamberlain, on the other hand, was primarily attuned to public opinion in Britain when he acquiesced in Hitler’s demands. So sparse was his knowledge of the German attachment to the Sudetenland that he regularly spoke of “returning” the region to the Germans who had never owned it in the first place. The difference, then, to put it starkly, between a Kennan and a Chamberlain is the difference between basing one’s decisions on the best available intelligence and basing them on wishful thinking. Truce Thinking based on the former is not, of course, guaranteed to work. There are no guarantees for efficacy in politics. But Truce Thinking based on the latter is both ineffective and illegitimate.